

AMENDED IN SENATE AUGUST 18, 2004

AMENDED IN ASSEMBLY APRIL 26, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2681

Introduced by Assembly Member Negrete McLeod

February 20, 2004

An act to add Section 3522 to the Government Code, relating to state employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 2681, as amended, Negrete McLeod. Ralph C. Dills Act: travel expenses.

The Ralph C. Dills Act provides for negotiations concerning wages, hours, and other terms and conditions of employment between a state employer and representatives of recognized employee organizations, and authorizes the execution of memoranda of understanding based on these negotiations. The act provides that, with respect to state employees in specified state bargaining units, in any case where specified provisions of law are in conflict with the provisions of a memorandum of understanding, the memorandum of understanding shall be controlling without further legislative action, except as specified.

Existing law requires, with specified exceptions, prior approval of the Governor and the Director of Finance for travel outside the state by state officers and employees in conducting their work.

This bill would authorize physicians in any state bargaining unit to negotiate under the Ralph C. Dills Act for preauthorized travel outside

the state for continuing medical education. It would specify that, ~~in any case where the~~ *the execution of a memorandum of understanding for that purpose would constitute the approvals required under the provisions of law requiring prior approval for travel outside the state are in conflict with the provisions of a memorandum of understanding, the memorandum of understanding shall be controlling without further legislative action*, except as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Physicians employed by the state often seek to attend
4 specialty conferences held outside the state in order to comply with
5 the continuing medical education requirement imposed by the
6 state.

7 (b) Under existing law, state physicians are required to receive
8 prior approval before attending many out-of-state continuing
9 medical education classes, but often have not received the
10 approval in time to attend the classes.

11 (c) Therefore, it is the intent of the Legislature to assist state
12 physicians to become more proficient in their field by enhancing
13 access to out-of-state training.

14 SEC. 2. Section 3522 is added to the Government Code, to
15 read:

16 ~~3522. (a) Notwithstanding any other provision of law,~~
17 ~~physicians~~

18 3522. (a) *Physicians* in any state bargaining unit may
19 negotiate under this chapter for preauthorized travel outside the
20 state for continuing medical education.

21 ~~(b) In any case where the provisions of Section 11032 or 11033~~
22 ~~are in conflict with the provisions~~

23 (b) *The execution of a memorandum of understanding entered*
24 *into pursuant to subdivision (a), the memorandum of*
25 *understanding shall be controlling without further legislative*
26 *action shall constitute the approvals required under Sections*
27 *11032 and 11033*, except that if the provisions of a memorandum
28 of understanding require the expenditure of funds, the provisions

1 shall not become effective unless approved by the Legislature in
2 the annual Budget Act.

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